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PATENT APPLICATION
Q-80960

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Heinz FOCKE et al

Appln. No. 10/822,144

Group Art Unit: 3721

Confirmation No.: 1171

Filed: April 12, 2004

For: METHOD OF, AND APPARATUS FOR, PRODUCING (CIGARETTE) PACKS

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO/SB/08 A & B (modified) and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

Applicant encloses a copy of JP '217. In accordance with 37 C.F.R. § 1.98(a)(2)(i), the undersigned is not submitting a copy of the cited U.S. patent publication '656. Please note, DE '526 was cited in the Information Disclosure Statement filed on August 4, 2004.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

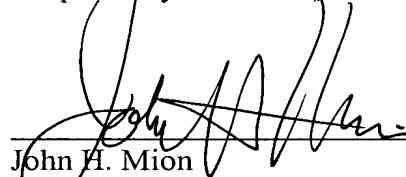
INFORMATION DISCLOSURE STATEMENT
U.S. APPLN. NO. 10/822,144

filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

Applicant encloses a copy of an Observation letter filed by TORTA Research S.r.l. and received in the EPO on December 28, 2004, for Applicant's counterpart European patent application, citing the listed documents.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



John H. Mion
Registration No. 18,879

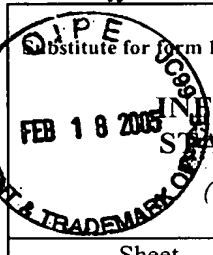
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CUSTOMER NUMBER

Date: February 18, 2005

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|  Substitute for Form 1449 A & B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | | | <i>Complete if Known</i> | |
| | | | | Application Number | 10/822,144 |
| | | | | Confirmation Number | 1171 |
| | | | | Filing Date | April 12, 2004 |
| | | | | First Named Inventor | Heinz FOCKE et al |
| | | | | Art Unit | 3721 |
| | | | | Examiner Name | NOT YET KNOWN |
| Sheet 1 of 1 | | | | Attorney Docket Number | Q-80960 |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|-----------------------|-----------------|--------------------------------------|--------------------------------|---|
| Examiner Initials* | Cite No. ¹ | Document Number | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
| | | Number | Kind Code ² (if known) | | |
| | | US 2003/0010656 | A1 | 1/16/2003 | Heinz FOCKE et al |
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| FOREIGN PATENT DOCUMENTS | | | | | | | |
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| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Translation ⁶ |
| | | Country Code ³ | Number ⁴ | Kind Code ⁵ <i>(if known)</i> | | | |
| | | JP | 7 267217 | | 10/17/1995 | | |
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| OTHER ART - NON PATENT LITERATURE DOCUMENTS | | | |
|---|-----------------------|--|--------------------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published. | Translation ⁶ |
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| Examiner Signature | | Date Considered | |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant indicate here if English language Translation is attached.